

**CR-15-00226-BLF**

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SAN JOSE DIVISION**

**THE UNITED STATES OF AMERICA**

**vs.**

**DOUGLAS STORMS YORK**

**SUPERSEDING INDICTMENT**

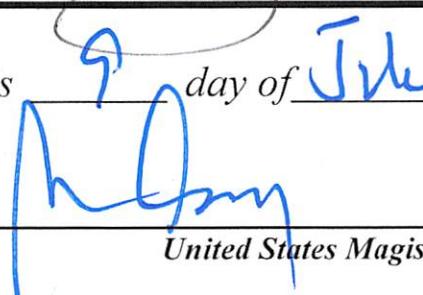
Count 1: 18 U.S.C. § 912 – False Impersonation of an Employee of the United States

Count 2: 47 U.S.C. § 223(a)(1)(C) – Telecommunications Device Harassment

*A true bill.*

  
\_\_\_\_\_  
*Foreperson*

*Filed in open court this  
9 day of July  
A.D. 2015*

  
\_\_\_\_\_  
*United States Magistrate Judge*

*Bail. \$ \_\_\_\_\_  
No Process*

1 MELINDA HAAG (CABN 132612)  
2 United States Attorney  
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*Filed*  
JUL 09 2015  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) NO.: CR-15-00226-BLF  
12 Plaintiff, )  
13 v. ) VIOLATIONS: 18 U.S.C. § 912 – False  
14 DOUGLAS STORMS YORK, ) Impersonation of an Employee of the United States;  
15 Defendant. ) 47 U.S.C. § 223(a)(1)(C)- Obscene or Harassing  
16 ) Phone Calls  
17 ) SAN JOSE VENUE  
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S U P E R S E D I N G I N D I C T M E N T

19 The Grand Jury Charges:

20 COUNT ONE: (18 U.S.C. § 912 – False Impersonation of an Employee of the United States)

21 On or about February 23, 2012, in the Northern District of California, the defendant,

22 DOUGLAS STORMS YORK,

23 did falsely assume and pretend to be an officer and employee of the United States acting under the  
24 authority thereof, that is, as an agent of the Internal Revenue Service, and in such assumed and  
25 pretended character did act as such, in that he falsely stated that he was an Agent of the Internal Revenue  
26 Service engaged in investigating tax records, in violation of Title 18, United States Code, Section 912.

1 COUNT TWO: (47 U.S.C. § 223(a)(1)(C) – Telecommunications Device Harassment)

2 On or about February 23, 2012, in the Northern District of California, the defendant,

3 DOUGLAS STORMS YORK,

4 without disclosing his identity and with intent to abuse, threaten, and harass a specific person, did make  
5 a telephone call and utilize a telecommunications device in interstate and foreign communications, in  
6 that he left a voicemail for Allan Hessenflow, stating:

7 Hello, Allan. My name is Judy Smith. I'm with the IRS- Internal Revenue  
8 Service. I am calling you we are going to be requesting a tax audit, get  
9 some information [garbled] that was read to you. And would like to check  
10 your records for the following years: 2005, 2006, 2007, and if you could  
11 please return my call at the number listed on the caller ID, that would be  
appreciated. And once again, if we cannot reach you, we will definitely be  
checking into your past and I'll be looking into your records. Thanks a  
lot, and we'll call back tomorrow.

12 All in violation of 47 U.S.C. § 223(a)(1)(C).

13 DATED: 9 July 2015

A TRUE BILL

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FOREPERSON



MELINDA HAAG  
United States Attorney

JEFFREY NEDROW  
Chief, San Jose Branch Office

(Approved as to form:   
SAUSA Brianna Penna

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY:  COMPLAINT  INFORMATION  INDICTMENT SUPERSEDING**OFFENSE CHARGED**

Count 1: 18 U.S.C. § 912 – False Impersonation of an Employee of the United States

 Petty

Count 2: 47 U.S.C. § 223(a)(1)(C) – Telecommunications Device Harassment

 Minor Misdemeanor Felony

PENALTY: Count One : 3 years imprisonment; \$250,000 fine; 1 year supervised release; \$100 special assessment fee.

Count Two: 2 years imprisonment; \$250,000 fine; 3 years supervised release; \$100 mandatory special assessment fee

**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

Donna Aguirre, TIGTA

 person is awaiting trial in another Federal or State Court, give name of court this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District this is a reprocution of charges previously dismissed which were dismissed on motion of: U.S. ATTORNEY  DEFENSESHOW DOCKET NO.  
\_\_\_\_\_ this prosecution relates to a pending case involving this same defendantMAGISTRATE CASE NO.  
\_\_\_\_\_ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form MELINDA HAAG

 U.S. Attorney  Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

SAUSA Brianna Penna

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

Filed JUL 09 2015

**DEFENDANT - U.S.**

DOUGLAS STORMS YORK

DISTRICT COURT NUMBER

CR-15-00226-BLF

RICHARD W. WIEKING  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1)  If not detained give date any prior summons was served on above charges2)  Is a Fugitive3)  Is on Bail or Release from (show District)

NDCA

**IS IN CUSTODY**4)  On this charge5)  On another conviction}  Federal  State6)  Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer  Yes  
been filed?  No} If "Yes"  
give date  
filedDATE OF  
ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED  
TO U.S. CUSTODY

Month/Day/Year

 This report amends AO 257 previously submitted**PROCESS:** SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

 Arraignment  Initial AppearanceDefendant Address:  
\_\_\_\_\_  
\_\_\_\_\_

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: July 13, 2015 at 1:30pm Before Judge: Howard R. Lloyd

Comments:  
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